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Chair: Mr. Salinas Burgos ..... (Chile)

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The meeting was called to order at 10.05 a.m.

Agenda item 166: Report of the Committee on Relations with the Host Country (A/66/26; A/C.6/66/L.23)

1. **Mr. Hadjimichael** (Cyprus), Chair of the Committee on Relations with the Host Country, introducing the report of the Committee (A/66/26), said that the Committee had been instrumental in securing the host country's support in facilitating the opening of accounts with other financial institutions by permanent missions to the United Nations whose accounts had been closed by JP Morgan Chase Bank.

2. Speaking as the representative of Cyprus, he introduced draft resolution A/C.6/66/L.23 on behalf of the sponsors. The draft resolution, inter alia, endorsed the Committee's recommendations and conclusions; underlined the importance of observing the privileges and immunities of the missions accredited to the United Nations; noted that some permanent missions continued to experience problems in connection with the implementation of the Parking Programme for Diplomatic Vehicles; requested the host country to consider removing the remaining travel restrictions imposed on the staff of certain missions and Secretariat staff of certain nationalities; noted the concerns expressed by some delegations about the denial and delay of entry visas as well as the Committee's anticipation that the host country would ensure their timely issuance to representatives of Member States; noted the concerns over the decision by JP Morgan Chase to close all bank accounts held by permanent missions to the United Nations; and welcomed the host country's efforts to facilitate the opening of bank accounts with other financial institutions.

3. **Mr. Delgado Sánchez** (Cuba), speaking on the question of security of missions and safety of personnel, noted that several incidents had disturbed the normal course of diplomatic activities at the Cuban Mission over the past year. The history of violence against the Mission and its staff and the continued presence in the United States of America of known terrorists argued for all possible preventive and deterrent measures to be adopted by the host country.

4. On 17 May 2011, in a clear act of provocation, the international terrorist Luis Posada Carriles, accompanied by five other people with terrorist and violent backgrounds, had appeared at the corner of Lexington Avenue and 38th Street in Manhattan, where the Permanent Mission of Cuba to the United Nations was located. That known terrorist had also carried out other activities in New York City designed to please his friends in the United States Congress and to enable him to continue acting with impunity and to raise funds in order to support attacks on Cuba.

5. The Government of Cuba would hold the Government of the United States of America directly responsible for any consequences that might result from such terrorist activities carried out with the permission and complicity of the United States authorities. The host country must fulfil, without delay, its obligation to extradite or prosecute international terrorists.

6. Cuba remained concerned over persisting irregularities in the issuance of entry visas by the host country, with many Cuban diplomatic personnel being affected in the past year. That situation was unjustifiable, especially when specific countries were targeted. He reiterated that the policy of restricting the movement not only of Cuban diplomatic officials, but also of Cuban nationals accredited to the United Nations or working for the Organization, was unjust, selective, discriminatory and politically motivated and contravened the host country's obligations under the Headquarters Agreement and customary norms of diplomatic law.

7. The host country continued to impose travel restrictions on members of the Cuban Mission staff, under which they could not travel beyond a 25-mile radius from Columbus Circle. Those restrictions were arbitrary, unjustified and violated the general rule of the free movement of diplomats and must be removed immediately.

8. On the question of the acceleration of immigration and customs procedures, he said that diplomatic courtesies should be extended and fair treatment at airports of the diplomatic personnel of Member States should be ensured. The host country should intensify the training of police, security and customs and border control officers to ensure that diplomatic privileges and immunities were fully respected. The Parking Programme for Diplomatic Vehicles should be implemented in an equitable, non-discriminatory and efficient manner, in accordance with international law. The diplomatic parking spaces assigned to permanent missions to the United Nations must be respected.

9. The decision by JP Morgan Chase to close the bank accounts of diplomatic missions created an additional difficulty; the host country should take all necessary measures to ensure that its internal regulations did not give rise to such difficulties.

10. Lastly, he reiterated his delegation's determination to work to ensure that the host country properly applied the Convention on the Privileges and Immunities of the United Nations, the 1961 Vienna Convention on Diplomatic Relations, the Headquarters Agreement and the general principles of international law in a transparent, non-discriminatory manner with full respect for the sovereignty of States and for the Organization.

11. **Mr. Arbogast** (United States of America) said that the United States of America was proud to serve as host country to the United Nations and was grateful to the delegations that had recognized its efforts. His Government had fulfilled the relevant treaty obligations and commitments since 1946 and remained committed to doing so in the future.

12. The Committee on Relations with the Host Country was a valuable forum in which to discuss issues relating to the presence of the diverse and dynamic diplomatic community in New York and to assess and address the concerns of the United Nations community. The host country valued greatly the Committee's cooperation and constructive spirit and welcomed the presence at its meetings of numerous observer delegations. The Committee's limited but representative membership made it efficient and unusually responsive. Over the past year, the Committee had continued its discussions on such issues as improving immigration procedures at New York airports, mitigating delays in visa issuance, helping missions whose bank accounts had been closed by JP Morgan Chase to open accounts with other financial institutions, and ensuring the safety and security of United Nations missions, areas in which the host country regarded its efforts as ongoing and increasingly successful.

13. *Draft resolution A/C.6/66/L.23 was adopted.*

Agenda item 80: United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law (*continued*) (A/66/505; A/C.6/66/L.15)

14. **Mr. Válek** (Czech Republic), introducing draft resolution A/C.6/66/L.15, said that the text of the draft resolution was based on General Assembly resolution 65/25 with a number of changes, including a new fourth preambular paragraph that recognized the importance of the Programme of Assistance reaching effectively its beneficiaries, including with regard to languages, while bearing in mind limitations on available resources. Paragraph 1 had been redrafted to approve the guidelines and recommendations contained in section III of the report of the Secretary-General on the agenda item (A/66/505); paragraph 3 had been modified slightly; and paragraph 4 had been amended to reflect the existing funding practice for the Audiovisual Library of International Law.

15. The words "to continue" had been deleted from paragraph 7 in order to reflect the ongoing funding difficulties of the Programme of Assistance; and paragraph 17 had been updated to express appreciation to Thailand and Mexico for offering to host regional courses in international law in 2012 and 2013, respectively. Paragraph 21 was new; he orally amended the footnote to the paragraph by adding the following States to the list of appointed members of the Advisory Committee on the Programme of Assistance: Argentina, Chile, Ethiopia, Ghana, Kenya, Mexico, Nigeria, Sudan, Surinam, Trinidad and Tobago and the United Republic of Tanzania.

16. None of the changes to the draft resolution had any programme budget implications.

17. *Draft resolution A/C.6/66/L.15, as orally revised, was adopted.*

18. **Ms. Morris** (Office of Legal Affairs), speaking in her capacity as Secretary of the Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, said that efforts to strengthen and revitalize the Committee's activities under the Programme of Assistance were hampered by the financial difficulties facing the United Nations Audiovisual Library of International Law and the regional courses in international law, both of which were dependent on voluntary contributions from Member States. Italy and Sweden had just made voluntary contributions of $5,000 and $25,000, respectively, to support the Library and she hoped that other countries would do likewise.

19. The regional courses faced two major hurdles: conclusion of host country agreements and funding. While the offer by Ethiopia, Thailand and Mexico to host regional courses in 2012 and 2013 would alleviate

the first obstacle, the funding problem remained. The situation involving the regional course in international law, scheduled to be held in Addis Ababa from 12 February to 2 March 2012, was particularly urgent as some of the anticipated voluntary contributions had still not been received. The African Union, which had provided $20,000 to support the course in 2011, had agreed to contribute $30,000 to the 2012 course and an additional voluntary contribution of approximately the same amount was expected from another donor.

20. Despite those efforts, the course organizers still faced a substantial shortfall. As arrangements for the course were already at an advanced stage, the Advisory Committee had decided that, rather than cancel the course, it would increase the number of self-funded participants; limit the participants on full fellowships to professors from institutions with modest financial resources; and offer partial scholarships to public employees, requesting their governments to cover the remaining costs. The Advisory Committee would announce the results of the selection process the following week and request confirmation of a financial commitment from the governments concerned.

Agenda item 81: Report of the International Law Commission on the work of its sixty-third session (*continued*) (A/C.6/66/L.26; A/C.6/66/L.21; A/C.6/66/L.22)

Draft resolution A/C.6/66/L.26

21. **Ms. Rodríguez-Pineda** (Guatemala), introducing draft resolution A/C.6/66/L.26, said that the draft resolution was largely a technical update of General Assembly resolution 65/26. The fifth preambular paragraph had been amended to indicate, inter alia, that Member States could submit proposals for new topics for consideration by the Commission, and that such proposals should be accompanied by a statement of reasons. Paragraph 3 reproduced the second part of paragraph 1 of resolution 65/26. Paragraphs 4 and 5 were new; they concerned the work of the Commission at its sixty-third session and the continued consideration by the Committee, at the sixty-seventh session of the General Assembly, of chapter IV of the Commission's report (A/66/10). Paragraph 6 had been reformulated to refer to the specific issues identified in chapter III of the Commission's report. Paragraph 7 was new; it referred to the topics included in the Commission's long-term programme of work. Paragraph 8 had been reformulated to read: "Invites the International Law Commission to continue to give priority to, and work towards the conclusion of, the topics 'Immunity of State officials from foreign criminal jurisdiction' and 'The obligation to extradite or prosecute (*aut dedere aut judicare*)'".

22. Paragraphs 10 and 11, which referred to the Commission's working methods during its sixty-third session, were new, as was paragraph 12, which stated that the General Assembly decided to revert to the consideration of the recommendation contained in paragraph 388 of the report of the International Law Commission during the sixty-seventh session of the General Assembly.

23. Paragraph 15 included an acknowledgement of the exceptional character of the short duration of the 2012 session of the Commission and a request to the Secretariat to present options on how to secure earlier dates for the sessions of the Commission to ensure optimal working conditions for the Commission and the timely publication of its report to the General Assembly. Paragraph 16 was similar to paragraph 11 of resolution 65/26 but had been slightly reformulated. Paragraph 24 was new; it welcomed and encouraged efforts to include immediately, on a trial basis, the provisional summary records on the website relating to the Commission's work.

24. Paragraph 26 stressed the value of the *Yearbook of the International Law Commission* and requested the Secretary-General to ensure its timely publication in all official languages. Paragraph 29 had been slightly reformulated to express the hope that participants representing the principal legal systems of the world, as well as delegates to the Sixth Committee, would be given the opportunity to attend the International Law Seminar.

25. Paragraph 31 had also been slightly reformulated to underline the importance of the records and topical summary of the debate in the Sixth Committee for the deliberations of the International Law Commission. Lastly, paragraph 33 contained a request for the Commission's report to be issued with due anticipation and in compliance with the prescribed time limit for reports in the General Assembly.

26. *Draft resolution A/C.6/66/L.26 was adopted.*

27. **Ms. Quezada** (Chile), speaking on behalf of the Rio Group, said that the Commission's suggestion, in paragraph 388 of its report (A/66/10), that consideration

should be given to the possibility of having one half session each quinquennium in New York so as to facilitate direct contact between the Commission and delegates of the Sixth Committee was not intended to suggest that the Commission's meetings should be moved from Geneva to another venue. In order to fulfil its mandate, the Commission relied on the work of its members and on the participation of Member States, reflected largely through the delegates of the Sixth Committee. Holding a half session in New York every five years would enhance direct dialogue and interaction between the members of the Commission, its special rapporteurs and the Committee.

28. The Commission had held the second part of its fiftieth session in New York in 1998 and had expressed the hope to do so again in paragraph 734 of its 2000 report (A/55/10). The Rio Group found merit in the Commission's suggestion and hoped that every effort to implement it would be made. Although it would be useful to know the programme budget implications of such a decision, other factors must also be taken into consideration; regardless of financial constraints, the Commission must be given the means to fulfil its mandate.

Draft resolution A/C.6/66/L.21

29. **Ms. Kaewpanya** (Thailand), introducing draft resolution A/C.6/66/L.21, said that, under the draft resolution, the General Assembly welcomed the conclusion of the work of the International Law Commission on the effects of armed conflicts on treaties; took note of the articles on the topic presented by the Commission; and decided to include in the provisional agenda of its sixty-seventh session an item entitled "Effects of armed conflicts on treaties".

30. *Draft resolution A/C.6/66/L.21 was adopted.*

Draft resolution A/C.6/66/L.22

31. **Ms. Kaewpanya** (Thailand), introducing draft resolution A/C.6/66/L.22, said that a fifth preambular paragraph read: "*Taking note* of comments of Governments and the discussion in the Sixth Committee at the sixty-sixth session of the General Assembly on this topic ...".

32. *Draft resolution A/C.6/66/L.22, as orally revised, was adopted.*

Agenda item 83: The rule of law at the national and international levels (*continued*) (A/C.6/66/L.20)

33. **Mr. Barriga** (Liechtenstein), introducing draft resolution A/C.6/66/L.20, said that following consultations, a number of changes had been proposed, including the insertion, following paragraph 2, of a new paragraph that read: "*Reaffirms also* the imperative of upholding and promoting the rule of law at the international level, in accordance with the principles of the Charter of the United Nations" and paragraph 8 had been moved to follow immediately after the new paragraph.

34. In paragraph 3, the words "assessment of the challenges and" had been deleted. In paragraph 5, a comma and the words "including the participation of women in rule-of-law-related activities" had been inserted after "in relevant activities". A new paragraph, inserted immediately before paragraph 9, read: "*Recognizing* the importance of restoring confidence in the rule of law as a key element of transitional justice".

35. Paragraph 13 (a) had been modified to read "The high-level meeting will be held as a one-day plenary meeting on Monday, 24 September 2012". Paragraph 13 (b), following "the President of the International Court of Justice", had been modified to read "the President of the Security Council, the United Nations High Commissioner for Human Rights, the Administrator of the United Nations Development Programme, the Executive Director of the United Nations Office on Drugs and Crime, the Chairman of the International Law Commission, Member States and observers, as well as a limited number of representatives of non-governmental organizations active in the rule of law, will be invited to speak at the plenary". In addition, a footnote, to be inserted after the words "rule of law", read "To speak on a non-objection basis in accordance with past practice". Paragraphs 13 (c), (d) and (e) had been deleted. In paragraph 14, the word "document" had been inserted after "outcome" and "inclusive" had been inserted immediately before "informal consultations".

36. In paragraph 15, the words "including the speakers' list for the plenary meeting" had been inserted after "organizational arrangements of the meetings"; the words "as well as" had been deleted; and the phrase "and the need to ensure that all listed speakers will have the opportunity to speak" had been added at the end of the paragraph. Paragraph 15 established important guidelines for the organization of

the high-level meeting. It had been understood, in negotiating the draft, that the President of the General Assembly would be responsible for ensuring the smooth functioning of the meeting and would draw up a limited list of speakers, all of whom would be ensured time to speak. It had also been understood that, as in the past, the list of speakers could include representatives of major groups. Paragraph 16 had been replaced with the words: "*Requests* the Secretary-General to submit a report for the consideration of Member States in preparation of the high-level meeting no later than March 2012". Lastly, the word "*Also*" had been inserted at the beginning of paragraph 17.

37. *Draft resolution A/C.6/66/L.20, as orally revised, was adopted.*

38. **Mr. Baghaei Hamaneh** (Islamic Republic of Iran), speaking on behalf of the Movement of Non-Aligned Countries, said that the Movement had engaged actively in the negotiation of the draft resolution and had agreed to the resulting text in a spirit of compromise. It was of critical importance to maintain a balanced approach with regard to the rule of law and to uphold and promote it at the international level in accordance with the principles of the Charter of the United Nations. Member States were committed to a rules-based regime in the conduct of their relations with other Member States.

39. The Non-Aligned Movement understood that the outcome document for the high-level meeting on the rule of law at the national and international levels, mentioned in paragraph 15 of the draft resolution, would be a concise declaration that reiterated Member States' collective commitment to the rule of law at the national and international levels. During the negotiations, the Movement had raised several concerns, including with regard to the importance of refraining from the unlawful use or threat of force, and it looked forward to engaging in the negotiations on the outcome document for the high-level meeting with a view to incorporating related proposals into the final text. It was also critical that that document should strike a balance between the rule of law at the national and international levels.

40. With regard to paragraph 16, the Movement looked forward to the consultations on organizational arrangements for the high-level meeting and noted, in paragraph 18, the Secretary-General's intention to submit another report in preparation for the event. That report was, however, only one of the many inputs to which Member States should refer in negotiating the outcome document.

Agenda item 109: Measures to eliminate international terrorism (*continued*) (A/C.6/66/L.25)

41. **Mr. Morrill** (Canada), introducing draft resolution A/C.6/66/L.25, said that the text of the draft resolution was similar to General Assembly resolution 65/34, with a number of technical updates. With regard to substantive changes, additional organizations had been included in preambular paragraph 21. He also drew attention to paragraph 19, which was entirely new, and to paragraphs 24 to 26, which, taken together, marked a departure from the Committee's practice in previous years. The Ad Hoc Committee would not hold a meeting in the spring of 2012; instead, Member States were encouraged to redouble their efforts during the intersessional period towards resolving any outstanding issues. The intention was to establish, at the sixty-seventh session of the General Assembly, a Sixth Committee working group with a view to finalizing the draft comprehensive convention on international terrorism and continuing to discuss the question of convening a high-level conference under the auspices of the United Nations. In that connection, a number of delegations had expressed the view that paragraph 24 did not properly reflect the relationship between the General Assembly and the Committee. It was therefore proposed to delete the words "to recommend" and to insert "will" before "establish".

42. **The Chair** said he took it that the Committee wished to waive the 24-hour requirement contained in rule 120 of the rules of procedure of the General Assembly in order to proceed with action on draft resolution A/C.6/66/L.25.

43. *It was so decided.*

44. *Draft resolution A/C.6/66/L.25, as orally revised, was adopted.*

45. **Mr. Adi** (Syrian Arab Republic) said that while his delegation had joined the consensus, it had reservations concerning the reference to the North Atlantic Treaty Organization (NATO) in the twenty-first preambular paragraph on the grounds that it was a military alliance and thus operated differently from the other organizations listed.

46. **Mr. Delgado Sánchez** (Cuba) said that his delegation also had reservations concerning the reference to NATO since that Organization did not contribute positively to preventing and suppressing terrorism.

47. **Ms. Cabello de Daboin** (Bolivarian Republic of Venezuela) reiterated the views of the previous speakers and stressed that NATO was simply the implementation arm for decisions taken by the Security Council.

48. **Mr. Salem** (Egypt), **Mr.** Hassan Ali Hassan **Ali** (Sudan), **Mr. Baghaei Hamaneh** (Islamic Republic of Iran) and **Ms. Sandoval** (Nicaragua) said that they, too, had reservations concerning the reference to NATO.

Agenda item 174: Observer status for the International Conference of Asian Political Parties in the General Assembly (*continued*) (A/C.6/66/L.9)

49. **The Chair** recalled that at the Committee's twenty-ninth meeting, the delegation of the Republic of Korea had proposed that the Committee should recommend that the General Assembly should defer its decision on the request for observer status for the International Conference of Asian Political Parties in the General Assembly. He invited the representative of the Republic of Korea to report on the outcome of the informal consultations on its proposal.

50. **Mr. You** Ki-Jun (Republic of Korea) said that the informal consultations had been successful; he thanked the participating delegations for their flexibility.

51. **Ms. Cabello de Daboin** (Bolivarian Republic of Venezuela) said that her delegation would not oppose the proposal to recommend deferral of the decision on the understanding that, for procedural reasons, the International Conference of Asian Political Parties would request the General Committee to consider inclusion of the relevant item in the agenda for the sixty-seventh session of the General Assembly. Nevertheless, the organization in question did not meet the criteria established by the General Assembly in its decision 49/426. In recognition of her Government's close ties with Asian States, she suggested that the International Conference of Asian Political Parties should apply for consultative status with the Economic and Social Council.

52. **The Chair** said he took it that the Committee wished to recommend that the General Assembly should defer its decision on the request for observer status for the International Conference of Asian Political Parties in the General Assembly.

53. *It was so decided.*

Agenda item 175: Observer status for the West African Economic and Monetary Union in the General Assembly (A/C.6/66/1/Add.1and A/66/232; A/C.6/66/L.28)

54. **The Chair** drew attention to a letter dated 9 November 2011 from the President of the General Assembly (A/C.6/66/1/Add.1), in which the President had informed him that at its fifty-second plenary meeting, the General Assembly had decided to allocate an additional agenda item to the Sixth Committee, namely item 175, "Observer status for the West African Economic and Monetary Union in the General Assembly"; a letter dated 26 October 2011 from the Permanent Representative of Togo to the United Nations addressed to the Secretary-General, requesting the inclusion of item 175 in the agenda of the sixty-sixth session of the General Assembly (A/66/232) and draft resolution A/C.6/66/L.28, which had been issued that morning.

55. **Mr. Menan** (Togo), introducing draft resolution A/C.6/66/L.28, said that the main goal of the West African Economic and Monetary Union (WAEMU) was to promote common policies to further the development and economic integration of the eight States that shared a common currency. To that end, the States members of WAEMU had established specialized financial institutions, such as the Central Bank of West African States and the West African Development Bank, the achievements of which were well recognized.

56. WAEMU had recently expanded its activities to include crisis prevention and management with a view to building a stable West Africa in which resources were used primarily for development purposes. Its members recognized the need to strengthen WAEMU cooperation with other international organizations, chief among them the United Nations. Granting it observer status in the General Assembly would contribute to the promotion of economic development, peace and stability in the West African subregion.

57. The delegations of Egypt, Eritrea, Finland, France, Ghana, Guinea, Mauritania, Morocco and the Sudan became sponsors of the draft resolution.

58. **Mr. Djokpe** (Benin), supported by **Mr. Coulibaly** (Mali), said that WAEMU had achieved the economic and monetary integration of its member States. Observer status in the General Assembly would enable it to work more effectively with the United Nations, including its specialized agencies, and thus to better support its members' development goals.

59. **Mr. Millogo** (Burkina Faso) said that greater cooperation between the United Nations and WAEMU, whose credibility had been clearly established, would further both organizations' objectives. His delegation therefore supported the request for observer status.

60. **The Chair** said he took it that the Committee wished to waive the 24-hour requirement contained in rule 120 of the rules of procedure of the General Assembly in order to proceed with action on draft resolution A/C.6/66/L.28.

61. *It was so decided.*

62. *Draft resolution A/C.6/66/L.28 was adopted.*

63. **Ms. Millicay** (Argentina), supported by **Mr. Barriga** (Liechtenstein), said that while her delegation had joined the consensus in the interests of the sponsor countries and of the subregion as a whole, she was deeply concerned at the Committee's decision to consider an additional agenda item. During the Committee's recent discussion of ways to improve its working methods, it had been agreed that if the General Assembly decided that the Committee should consider requests such as the one contained in the draft resolution just adopted, due consideration of that request, including sufficient time, should be provided for. In the present case, even the 24-hour requirement contained in rule 120 of the rules of procedure of the General Assembly had been waived, leaving insufficient time for delegations to consider the request. She called on all delegations, the future Bureau and the secretariat to prevent such situations from recurring in the future.

64. **The Chair** recalled that in the absence of any objection, the Chair of a Committee had no option but to proceed with action on a resolution.

65. **Mr. Menan** (Togo) said that he recognized the Committee's need to follow the working methods that it had decided upon and thanked delegations for their flexibility. In the future, his own delegation would take all necessary measures to avoid placing the Committee in a similar situation.

Agenda item 79: Report of the United Nations Commission on International Trade Law on the work of its forty-fourth session (*continued*) (A/C.6/66/L.10)

66. **The Chair** said the Bureau had been informed that draft resolution A/C.6/66/L.10, which had been adopted at the Committee's twenty-fifth meeting on 31 October 2011, contained language that had possible programme budget implications and had recommended reopening the agenda item in order to address the issue.

67. **Mr. Delgado Sánchez** (Cuba) said that it would be useful to know what the budgetary implications of the language in question would be.

68. **Mr. Mikulka** (Secretary of the Committee) said that the Bureau had been advised that a statement on programme budget implications would be necessary if the draft resolution reached the General Assembly in its current form.

69. **The Chair** said he took it that the Committee wished to reopen the agenda item.

70. *It was so decided.*

71. **The Chair** said that the words "endorses the Commission's agreement to achieve that result by reducing its allocation for conference services" in paragraph 20 of the draft resolution would appear to entail financial implications for the Organization and to require a statement of programme budget implications. Such matters did not fall within the purview of the Sixth Committee and would need to be considered by the Fifth Committee. The Bureau proposed deleting the phrase.

72. *Draft resolution A/C.6/66/L.10, as orally amended, was adopted.*

73. **Mr. Reynaud** (France) said that the words "with a view to identifying budgetary savings" at the end of paragraph 20 should not be understood as implying a reduction in the use of all the official languages of the United Nations by the Commission, whose work could only benefit from parity among the official languages of the Organization.

74. **Mr. Delgado Sánchez** (Cuba), supported by **Ms. Cabello de Daboin** (Bolivarian Republic of Venezuela), said that the decision to reopen the agenda item in order to take action on a previously adopted draft resolution must not set a precedent. His delegation could not support budget reductions that did not have the clear support of Member States and

reserved the right to seek further clarification on the agenda item at a meeting of the Fifth Committee.

75. **Mr. Baghaei Hamaneh** (Islamic Republic of Iran) said that he agreed; it was important to exercise caution when taking decisions on issues that fell within the competence of other Main Committees of the General Assembly.

Agenda item 135: Programme planning

76. **The Chair** explained that the agenda item had been allocated to all Committees on an annual basis since the sixty-first session of the General Assembly. However, no reports under that item had been provided to the Sixth Committee at the current session.

Agenda item 121: Revitalization of the work of the General Assembly (*continued*) (A/C.6/66/L.27)

77. **The Chair** drew attention to the provisional programme of work for the Sixth Committee for the sixty-seventh session, contained in draft decision A/C.6/66/L.27.

78. **Ms. Quezada** (Chile), speaking on behalf of the Rio Group, said that while her delegation welcomed the efforts to avoid the overlapping of Sixth Committee meetings with the meetings of other bodies at which legal experts were expected to speak, it was important for the Committee's secretariat to continue to hold consultations with the relevant bodies in order to ensure that such overlaps did not occur in the future. In particular, the Committee should not meet during the presentation to the General Assembly of the reports of the International Court of Justice and the International Criminal Court.

79. The Rio Group also wished to reiterate its concern at the delayed issuance of reports for the Committee's consideration, which seriously compromised the quality of its debate, and requested that the secretariat should take all necessary measures to prevent such delays from occurring in the future. It further requested that the reports in question, including that of the International Law Commission, should be issued in all six official languages no later than 31 July. As the issuance of the Commission's report was closely tied to the scheduling of its sessions, it might be necessary to consider changing the dates of those sessions; she invited delegations to bear that point in mind during the Committee's discussions at the sixty-seventh session of the General Assembly.

80. The time devoted to consideration of the report of the Commission (A/66/10) had been considerably shorter than in the past. The Rio Group supported a more interactive debate and a closer working relationship between the Commission and the Committee. Special rapporteurs needed more financial support and should be given the opportunity to travel to Headquarters in order to work directly with the legal experts of Member States. The Rio Group supported the possibility of having part of the annual session of the Commission in New York in order to allow for a truly interactive dialogue with Committee experts. The secretariat should consider the feasibility of those proposals in order to facilitate the Committee's discussions at the sixty-seventh session of the General Assembly.

81. While the Rio Group welcomed the efforts to ensure transparent, inclusive and efficient working methods, more needed to be done. The Committee's work must be organized in such a way as to allow sufficient time for all agenda items. The coordination of draft resolutions, which were not proposed by individual States and were usually adopted by consensus, must take geographical distribution into account. Draft resolutions should be introduced at the conclusion of the debate on the relevant agenda item; the Rio Group requested that the Bureau and the coordinators should introduce all draft resolutions at informal meetings for the benefit of all Member States, without prejudice to the coordinator's informal consultations with delegations. Despite efforts to the contrary at the current session, some draft resolutions had still been the result of bilateral consultations; she reiterated that, as with the other Main Committees of the General Assembly, open consultations should be the rule and the secretariat should allocate time and meeting rooms for that purpose. Furthermore, the allocation of time to the different agenda items must take into account the nature of the items. In particular, it should have been anticipated that eight requests concerning the granting of observer status could not be introduced and discussed in one afternoon. In addition, there was a consensus within the Committee that organizations seeking observer status should provide copies of their constitutive instruments to the Committee. At the sixty-seventh session of the General Assembly, the presentation of the Hamilton Shirley Amerasinghe Fellowship on the Law of the Sea should take place during a meeting of the Committee rather

than in informal consultations, as had been the case at the current session.

82. While electronic access was a welcome development, the provision of information was the responsibility of the secretariat and should not be left to personal initiative alone. With a view to improving the Committee's working methods, the Rio Group suggested that the Committee should adopt the following decision:

> "The secretariat of the Sixth Committee, as part of its effort to support the work of Member States and as a contribution to the improvement of the existing working methods, shall:
>
> • Annually elaborate and update a list including all the contact information of the delegates to the Sixth Committee;
>
> • Provide, at the beginning of every session, all Member States with the contact information of all coordinators of the items to be considered by the Sixth Committee, and the information the Bureau deems necessary;
>
> • Ensure that, working under the instructions of the Bureau and in collaboration with the coordinators, delegations receive all relevant information on each item, particularly the draft resolutions in their different versions and invitations to informal consultations;
>
> • Guarantee the coordination of conference rooms and the copies of documents necessary for each consultation;
>
> • Make improvements to the e-room. First it must make it more accessible and user-friendly; second, it must incorporate updated information about the work of the Committee, such as the name and contact information of the person in charge of a draft resolution, the status of the draft, including the date of its introduction, the deadline for the introduction of proposals, the methods and dates of consultation, and the date of its adoption; third, the e-room should be utilized for providing, inasmuch as possible, advanced copies of available reports, without prejudice to the obligation to issue the final versions of reports in a timely manner in all the official languages of the United Nations;
>
> • Make arrangements for the adjournment of the meetings of the Sixth Committee for one whole day on the date the Presidents of the International Court of Justice and the International Criminal Court present their respective reports to the General Assembly;
>
> • In cases where oral revisions are necessary before adopting draft resolutions, the text that is being orally revised should be made available to delegations at the moment of its adoption".

83. **Ms. Sabbag-Afota** (Observer for the European Union) said that the European Union and its member States would support any practical measures that enhanced the efficiency and transparency of the Committee's work. Recalling the constructive suggestions made by some delegations at the sixty-fifth session, she drew particular attention to the need for continued efforts to avoid the simultaneous scheduling of Sixth Committee meetings and meetings of the General Assembly, on legal issues and asked the secretariat to bring the scheduling issue to the attention of the President of the Assembly. There was also room for improvement with regard to the issuance of reports and to the Committee's e-room. The increased use of open informal consultations in the drafting of resolutions was important for increasing the transparency of negotiations; however, further improvements in the efficiency of the Committee's work were necessary as more items were included in its agenda.

84. **Mr. Baghaei Hamaneh** (Islamic Republic of Iran), speaking on behalf of the Movement of Non-Aligned Countries, expressed his appreciation for the efforts of the Bureau and the secretariat and said that the Committee had achieved important outcomes through mutual cooperation and understanding.

85. Speaking as the representative of the Islamic Republic of Iran, he expressed his delegation's dissatisfaction with the manner in which some of the Committee's draft resolutions had been coordinated; the negotiation process had not always been adequately communicated to delegations. Posting the text of the draft resolutions in the e-room and conducting negotiations through e-mail was not an effective means of communication with Member States or a substitute for official communication, especially as most draft resolutions were finalized under the no-objection

procedure. Coordinators were expected to ensure that all delegations received communications on time using faxes or letters. However, the only effective way of conducting transparent, inclusive negotiations was to hold open informal consultations. He reiterated his delegation's position that the Committee should avoid revising the texts of draft resolutions after they had been issued and proposing changes to them after they had been adopted.

86. **Ms. Quezada** (Chile), speaking on behalf of the Rio Group, asked whether, at the sixty-seventh session, the Committee would hold no meetings during the presentation of the reports of the Presidents of the International Court of Justice and the International Criminal Court in order to enable delegations to attend.

87. **Mr. Lundkvist** (Sweden) said that not all of the draft resolutions had been introduced on behalf of the Bureau; some of those initiatives had been made by individual delegations or groups thereof. Transparency needed to be balanced against the need for greater efficiency, making some flexibility necessary.

88. **Mr. Mikulka** (Secretary of the Committee) said that the secretariat had no control over the scheduling meetings of the General Assembly. The Committee's consideration of the report of the International Law Commission (A/66/10) had coincided with International Law Week, during which other bodies also held meetings on legal topics. The decision as to whether to cancel meetings for which funds had been allocated lay in the hands of delegations.

89. **Mr. Delgado Sánchez** (Cuba) suggested that a letter should be sent to the President of the General Assembly in order to inquire which day would be set aside for consideration of the reports of the Presidents of the International Court of Justice and the International Criminal Court.

90. **Mr. Mikulka** (Secretary of the Committee) said that while the provisional dates for the following session were annexed to the General Assembly decision, the meetings of other bodies were scheduled later. At the present session, the secretariat had made every effort to avoid a scheduling conflict; however, the presentation of the reports of the Presidents of the two Courts had been rescheduled for reasons beyond its control.

91. **Ms. Quezada** (Chile), speaking on behalf of the Rio Group, said that the Group would accept the provisional programme of work contained in the draft decision on the understanding that the secretariat would do its utmost to set aside a full day to coincide with the presentation of the reports of the Presidents of the International Court of Justice and the International Criminal Court.

92. *Draft decision A/C.6/66/L.27 was adopted.*

Agenda item 5: Election of the officers of the Main Committees

93. **The Chair** said that in accordance with rule 99 (a) of the rules of procedure of the General Assembly and rule 103, as amended by General Assembly resolution 58/126, all the Main Committees should, at least three months before the opening of the session, elect a Chair and a full Bureau. He therefore suggested that the regional groups should hold consultations at least three months before the opening of the sixty-seventh session of the Assembly, which would enable the Committee to elect its next Chair, three Vice-Chairs and Rapporteur at an appropriate time.

Completion of the Committee's work

94. After the customary exchange of courtesies, **the Chair** declared that the Sixth Committee had completed its work for the sixty-sixth session.

The meeting rose at 1.20 p.m.